

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

CLINTON PETERSEN, and FAYNE  
PETERSEN,

Plaintiffs,

vs.

DEPUY ORTHOPAEDICS, INC., DEPUY  
PRODUCTS, INC., JOHNSON & JOHNSON  
SERVICES, INC., and JOHNSON &  
JOHNSON, INC.,

Defendants.

**8:20CV102**

**ORDER**

This matter is before the Court on Plaintiffs' Notice of Request for Location of Trial in Lincoln, Nebraska (Filing No. 9). Defendants selected Omaha, Nebraska as the place of trial when removing the case to this court, and also filed a Notice selecting Omaha as the place of trial. (Filing No. 6). To the extent Plaintiffs' Notice may be construed as a motion asking for Court action, after review of the parties' filings, the Court finds a motion to change the place of trial is premature at this time. The Court granted the parties' agreed motion to stay this case pending its "likely" transfer to MDL 2244, *In re DePuy Orthopaedics, Inc., Pinnacle Hip Implant Products Liability Litigation*, in the United States District Court for the Northern District of Texas. (Filing Nos. 7-8). If such transfer is denied, the Court will reconsider a request to change the place of trial that is supported by evidence and brief regarding "the convenience of the litigants, witnesses, and attorneys" after further progression of the case. NECivR 40.1(b)(1). Upon consideration,

**IT IS ORDERED:** Plaintiffs' Notice of Request for Location of Trial in Lincoln, NE (Filing No. 9) is denied without prejudice.

Dated this 26<sup>th</sup> day of March, 2020.

BY THE COURT:

s/ Michael D. Nelson  
United States Magistrate Judge